

In the Matter of:

CASE NO. 92-054

O R D E R

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission Regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electrical Safety Code (1990 Edition). It has also promulgated Commission Regulation 807 KAR 5:006, Section 22, which requires a utility to adopt and execute a safety program.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated January 28, 1992, appended hereto, which alleges:

1. On November 1, 1991, William Scott, an employee of Jackson Purchase RECC, was seriously injured while repairing a downed 7,200 volt three-phase line. He suffered burns to his arm and chest when he came into contact with the energized conductors. At the time of the incident, Scott was not wearing the rubber gloves provided to him nor had he tested or grounded the conductors in question.

2. At the time of the incident, Howard Puckett, another Jackson Purchase RECC employee, was the person-in-charge at the work site and was supervising Scott.

3. Jackson Purchase RECC's safety rules require all employees to use rubber gloves when working near energized lines and to test and ground energized lines before considering them de-energized.

4. Scott's failure to wear rubber gloves while working near energized lines is a violation of National Electrical Safety Code section 42 (420H) which requires that employees use the personal protective equipment and devices provided for work.

5. Scott's failure to test and ground the energized line before repairing it is a violation of National Electrical Safety Code section 42 (420D) which requires employees to perform preliminary inspections or tests to determine existing conditions before working on energized lines.

6. Puckett's failure to ensure Scott's use of rubber gloves while working near an energized line and to require the testing and grounding of the conductors in question is a violation of National Electrical Safety Code section 42 (421A) which, inter alia, directs a foreman or person-in-charge to "see that the safety rules and operating procedures are observed."

7. At the time of the incident, Scott and Puckett were employees of Jackson Purchase RECC and acting within the scope of their employment.

8. As a result of Scott's and Puckett's failures, Jackson Purchase RECC is in probable violation of Commission Regulations 807 KAR 5:006, Section 22, and 807 KAR 5:041, Section 3(1).

The Commission, on its own motion, HEREBY ORDERS that:


1. Jackson Purchase RECC shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Electrical Utility Accident Investigation Report.

2. Jackson Purchase RECC shall appear on April 7, 1992, at 1:00 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Electrical Utility Accident Investigation Report, specifically the alleged violations of Commission Regulations 807 KAR 5:006, Section 22, and 807 KAR 5:041, Section 3, and of showing cause, if any it can, why it should not be subjected to the penalties of KRS 278.990 for its alleged failure to comply with Commission Regulations.

3. The Electrical Utility Accident Investigation Report dated January 28, 1992 is hereby made a part of the record of this case.

Done at Frankfort, Kentucky, this 18th day of February, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 92-054 DATED 2/18/92

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 1/28/92 SUBMITTED BY Robert Ueltschi
NAME OF UTILITY Jackson Purchase RECC
ACCIDENT REPORTED BY Mr. David Stiles, General Manager
DATE AND TIME ACCIDENT OCCURRED 11/1/91 - 10:30 A.M. C.S.T.
DATE & TIME UTILITY LEARNED OF ACCIDENT 11/1/91 - 10:35 A.M. C.S.T.
DATE & TIME ACCIDENT REPORTED 11/1/91 - 1:27 P.M. E.S.T.
DATE OF ACCIDENT INVESTIGATION 11/4/91
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 11/6/91
PERSONS ASSISTING IN THE INVESTIGATION Mr. David Stiles, Mr. Donald
Schaefer-Jackson Purchase RECC-Mr. Jim Cassilly-Big Rivers Electric
Corporation and Robert Ueltschi, Public Service Commission.
NAME OF VICTIM(S) 1. Mr. William Scott SEX M AGE 26
FATAL No NAME OF EMPLOYER: Jackson Purchase RECC
INJURIES Electrical shock, burns to left arm, chest and left side.

2. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

3. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

LOCATION OF ACCIDENT SITE Old Mayfield Road approximately 5 miles
from Paducah, Kentucky.

DESCRIPTION OF ACCIDENT Mr. William Scott was attempting to repair a
7,200 volt 3 phase line that was down due to high winds that caused
a tree to fall on the line. Mr. Scott, a 1st. class lineman, was
under the direct supervision of Mr. Howard Puckett. Mr. Scott did not
effectively test the line to determine if it was dead, and was
attempting to make the repairs when he came in contact with the
energized phase and was injured.

SOURCE OF INFORMATION Mr. David Stiles and Mr. Donald R. Schaefer -
Jackson Purchase Electric Cooperative Corporation.

PROBABLE VIOLATIONS OF COMMISSION REGULATIONS Mr. William Scott, a
1st. class lineman for Jackson Purchase RECC, was under the supervi-
sion of Mr. Howard Puckett. There were four probable violations of
Commission Regulations involved in this accident:

1. The line was not tested effectively to see if it was energized,
resulting in a probable violation of 807 KAR 5:041, Section 3(1),
Acceptable Standards 1990 NESC, Section 42 (420D); and 807 KAR 5:006,
Section 22, Acceptable Standards Jackson Purchase RECC Safety Manual,
507a;

2. Mr. Scott and Mr. Puckett did not ground the line to be re-
paired, resulting in a probable violation of 807 KAR 5:006, Section
22, Acceptable Standards Jackson Purchase RECC Safety Manual, 507a
and 516a;

PROBABLE VIOLATIONS OF COMMISSION REGULATIONS (CONTINUED)

3. Mr. Scott was not wearing protective rubber gloves or sleeves while working on the line, resulting in a probable violation of 807 KAR 5:041, Section 3(1), Acceptable Standards 1990 NESC, Section 42 (420H); and 807 KAR 5:006, Section 22, Acceptable Standards Jackson Purchase RECC Safety Manual, 502(a) and(b); and,

4. Mr. Puckett did not perform his specific duty of responsibility for the safety and safe work contact of employees under his supervision, resulting in a probable violation of 807 KAR 5:041, Section 3 (1), Acceptable Standards 1990 NESC, Section 42 (421A (1) and (2)); and 807 KAR 5:006, Section 22, Acceptable Standards Jackson Purchase RECC's Safety Policy No. 900-6, Page 1 of 2, II-B.

RECOMMENDATIONS The Commission should consider action pursuant to KRS 278.990.

CORRECTIVE ACTION None

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC (1990)</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>*RP 33'-10 3/4"</u> <u>**CP 35'-1"</u> <u>***FP 34'-21/2"</u>	<u>18.0'</u>
Neutral conductor to ground elevation:	<u>30'-9"</u>	<u>14.0'</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>*RP 29'-1 3/4"</u> <u>**CP 30'-3 1/4"</u> <u>***FP 29'-3/4"</u>	<u>18.0'</u>
Neutral conductor to ground elevation:	<u>26'-2 3/4"</u>	<u>14.0'</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
C. SPAN LENGTH <u>135'</u>		
Date the line or facilities were constructed: <u>1964</u>		
Utility: <u>Jackson Purchase Electric Cooperative Corporation</u>		
Date: <u>11/4/91</u> Time <u>10:20 A.M. - C.S.T.</u>		
Approximate temperature: <u>31 Degrees F</u>		
Measurements made by: <u>Richard Newton, Howard Puckett-Jackson Purchase</u> <u>RECC and observed by Robert Ueltschi-PSC.</u>		

Submitted by: 

*Road Phase
**Center Phase
***Field Phase

RECEIVED

NOV 07 1991

P.S.C. EMERGENCY REPORT FORM

DIVISION OF UTILITY
ENGINEERING & SERVICES

DATE November 1, 1991 TIME 12:25 PM C.S.T.

COMPANY Jackson Purchase Electric Cooperative Corporation

PERSON MAKING CALL: NAME David Stiles, Jr.

TITLE General Manager

ADDRESS 2900 Irvin Cobb Drive, Paducah, KY 42001

PHONE (502) 442-7321

LOCATION OF OCCURRENCE Old Mayfield Road Approximately 5 miles from Paducah
Account #- 40-86-11 By WKYQ Radio Station

TIME OF OCCURRENCE 10:30 AM

DESCRIPTION OF OCCURRENCE: DEATHS: YES _____ NO X

INJURIES: YES X NO _____

ESTIMATED COST OF DAMAGE _____

CAUSE & DESCRIPTION Responding to outage caused by conductor being down.
Crew was putting conductor back up and thought line was de-energized. Bill Scott
touched conductor and received shock.

EFFECTS ON NORMAL SERVICE A three phase line was down due to high winds that
caused a tree to fall on it. This fault opened two of three OCR's protecting this
line.

CORRECTIVE ACTIONS TAKEN Pending investigation.

TIME OF RESUMPTION OF NORMAL SERVICE 2:35 PM C.S.T.

SIGNED Donald R. Schaefer

TITLE MANAGER OF ENGINEERING

DATE NOVEMBER 6, 1991

JACKSON PURCHASE ELECTRIC
COOPERATIVE CORPORATION

ACCIDENT INVESTIGATION REPORT

PERSON INVOLVED BILLY RAY SCOTT
DATE OF ACCIDENT November 1, 1991
TIME OF ACCIDENT 9:30 a.m.
LOCATION OF ACCIDENT Old Mayfield Rd.
TYPE OF ACCIDENT Electric Shock
TYPE OF INJURY Electrical Burns

DESCRIPTION OF ACCIDENT (WHAT HAPPENED) Employee was on a pole putting a line back up. He was attempting to put two wires together. He fuzzed the line with a hot stick to see if it was dead. He did not hear a buzzing noise. He assumed the line was dead. As he attempted to put the wires together, he touched the energized line with his thumb. Employee received electric burns.

CAUSE OF ACCIDENT (UNSAFE ACT OR UNSAFE CONDITION)

Failed to use proper procedure for repairing line.

CORRECTIVE ACTION TAKEN TO PREVENT RECURRENCE

Follow proper procedures for all line repair.

TYPE OF MEDICAL TREATMENT

FIRST AID _____
HOSPITAL Lourdes Emergency Room & Vanderbilt Hospital (Nashville, TN)
PHYSICIAN _____
ADDRESS _____

DATE PREPARED 11/4/91 EMPLOYEE'S SIGNATURE *Billy Ray Scott*
DATE NOTIFIED 11/1/91 SUPERVISOR'S SIGNATURE *Dennis L. L...*
DATE REVIEWED 11/4/91 SAFETY OFFICER'S SIGNATURE _____

SAFETY MEETING ROSTER 1991

	7/4	7/31	7/20	7/13	7/6	7/1	6/20	7/11	7/4	7/1	7/24			
SCHAEFER, DON	A	P	P	A	P	P	P	V	P	V	P			
SCOTT, BILL	P	P	P	S	V	S	S	S	P	V	P			
SCOTT, DON	P	P	P	P	V	P	V	P	V	A	P			
SIMMONS, GREG	P	R	P	V	P	F	P	P	F	V	P			
SPEAR, GLEN	P	P	P	V	V	-	W	P	P	A	P			
SPINKS, ROY ALLEN	P	P	P	V	V	P	P	P	F	V	P			
STILES, DAVID	A	R	A	A	A	P	W	W	A	A	P			
THOMASSON, RONNIE	P	P	P	P	P	P	P	D	D	A	P			
WALDRIDGE, JACK	A	A	A	P	W	D	W	A	A	A				
WALKER, STEVE	P	P	P	A	P	F	P	P	A	A	P			
JEFFRIES, DEE	A	P	F	A	P	F	F	P	A	V	P			
MORGAN, MISSY	A	A	A	A	A			A	A	A	P			
William Barron	P	P	P	P	R	D	F	P	D	A	P			
Bowden Bros.	P	P	P	P	R	D	F	P	F	V	P			
James Kelly	P	P	P	V	P	P	P	P	P	V	P			
James [unclear]	P	P									P			
Gennie Horden		P	F	P	V	P	P	P	A	V	P			
Danny Allen				P	P	D	P	D	P	V	P			
Milton Coner								P	A	V	A			

P - Present
A - Absent
V - Vacation
S - Sick
W - Working

P. S. C.
ACCIDENT AND TROUBLE REPORT FORM

TODAY'S DATE 11/1/91 TIME 1:27 P.M. EST

COMPANY JACKSON PURCHASE RECC

PERSON REPORTING INCIDENT: NAME: David Stiles Jr.

TITLE: GENERAL MANAGER

ADDRESS: 2900 Irvin Cobb Dr. - Paducah, Ky

PHONE NO: (502) 442-7321

ACCIDENT DESCRIPTION: Employee (William Scott) 1st class Lineman
contacted energized phase while making repairs. This was
a 3 Ø installation

VICTIMS NAMES: William Scott SEX M AGE DEATH INJURY

<u>SEX</u>	<u>AGE</u>	<u>DEATH</u>	<u>INJURY</u>
M	60	X	
F	70		
M	80		
F	90		
M	100		
F	110		
M	120		
F	130		
M	140		
F	150		
M	160		
F	170		
M	180		
F	190		
M	200		
F	210		
M	220		
F	230		
M	240		
F	250		
M	260		
F	270		
M	280		
F	290		
M	300		
F	310		
M	320		
F	330		
M	340		
F	350		
M	360		
F	370		
M	380		
F	390		
M	400		
F	410		
M	420		
F	430		
M	440		
F	450		
M	460		
F	470		
M	480		
F	490		
M	500		
F	510		
M	520		
F	530		
M	540		
F	550		
M	560		
F	570		
M	580		
F	590		
M	600		
F	610		
M	620		
F	630		
M	640		
F	650		
M	660		
F	670		
M	680		
F	690		
M	700		
F	710		
M	720		
F	730		
M	740		
F	750		
M	760		
F	770		
M	780		
F	790		
M	800		
F	810		
M	820		
F	830		
M	840		
F	850		
M	860		
F	870		
M	880		
F	890		
M	900		
F	910		
M	920		
F	930		
M	940		
F	950		
M	960		
F	970		
M	980		
F	990		
M	1000		

SEX **AGE** **DEATH** **INJURY**

LOCATION OF ACCIDENT:

TIME OF OCCURRENCE: 11/1/91 - 10:30 AM C.S.T.

TROUBLE DESCRIPTION: High Wind 3Ø/line down

TIME OF OCCURRENCE: Approx 10:30 AM C.S.T

TIME OF RESUMPTION OF NORMAL SERVICE:

NUMBER OF CUSTOMERS AFFECTED:

SIGNED

DATE _____